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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 IN RE: UBER TECHNOLOGIES, INC.,
15 PASSENGER SEXUAL ASSAULT
16 LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF DEEPAK GUPTA IN
SUPPORT OF NONPARTY CONSUMER
ATTORNEYS OF CALIFORNIA (CAOC)'S
OPPOSITION TO UBER'S MOTION FOR AN
INJUNCTION AGAINST POLITICAL
SPEECH AND A NONPARTY SUBPOENA
INTO A POLITICAL CAMPAIGN**

17 This Documents Relates to:

18 *Jaylynn Dean v. Uber Technologies, Inc. et*
19 *al.*, Case. No. 3:23-cv-06708-CRB

Date: January 6, 2025
Time: 10:00 A.M.
Courtroom: 6, 17th Floor

1 I, Deepak Gupta, declare:

2 1. I am an attorney at Gupta Wessler LLP, a member of the District of Columbia
3 Bar, and an attorney for Consumer Attorneys of California (CAOC). I am submitting this
4 declaration and making a limited appearance on CAOC's behalf to advance its objections,
5 primarily on First Amendment grounds, to Uber's requests that this Court (1) impose a prior
6 restraint on political speech, and (2) authorize a subpoena into the inner workings of a rival
7 political campaign. By appearing through counsel for this limited purpose, CAOC does not
8 submit to the jurisdiction of this Court for any other purpose. Neither CAOC nor its
9 independent political action committees are parties to this action. Nor have they have been
10 served with any subpoena or service of process in this action.

11 2. Attached as **Exhibit A** is a true and correct copy of Uber's proposed ballot
12 initiative, which was first proposed on October 3, 2025, and was amended in November 2025.
13 I obtained this document from the website of the California Attorney General.¹

14 3. Attached as **Exhibit B** is a true and correct copy of the Attorney General's title
15 and summary of Uber's ballot initiative. I obtained this document from the website of the
16 California Attorney General.²

17 4. Attached as **Exhibit C** is a true and correct copy of an article entitled
18 "California Voters Face Wave of 2026 Ballot Initiatives on Taxes, Housing, AI and More,"
19 that appeared in *State Affairs*. I obtained this document from *State Affairs*' website.³

20 5. Attached as **Exhibit D** is a true and correct copy of an article entitled "Uber
21 Targets Personal Injury Lawyers in Multimillion Dollar Ad Campaign" that appeared in the
22 *Claims Journal*. I obtained this document from *Claims Journal*'s website.⁴

24 ¹<https://oag.ca.gov/system/files/initiatives/pdfs/25-0022A1%20%28Self%20Dealing%20Attorneys%29.pdf>

25 ²<https://oag.ca.gov/system/files/initiatives/pdfs/Title%20and%20Summary%20%2825-0022A1%29.pdf>

26 ³<https://pro.stateaffairs.com/ca/elections/california-ballot-initiative-proposals>

27 ⁴<https://www.claimsjournal.com/news/national/2025/02/14/329003.htm>

6. Attached as **Exhibit E** is a true and correct copy of the PACT press release entitled “PACT Debuts New Six-Figure Ad Campaign in California Advocating for Lawsuit Abuse Reform.” I obtained this document from PACT’s website.⁵

7. Attached as **Exhibit F** is a true and correct copy of the PACT press release entitled “PACT to Release Documentary Film in 2026.” I obtained this document from PACT’s website.⁶

8. Attached as **Exhibit G** is a true and correct copy of the PACT press release entitled “PACT Launches Seven-Figure Ad Campaign in Georgia to Support Legal Reforms.” I obtained this document from PACT’s website.⁷

9. Attached as **Exhibit H** is a true and correct copy of the *The Texan* article entitled “National Business Group Makes Seven-Figure Ad Buy Pushing Tort Reform in Texas.” I obtained this document from *The Texan*’s website.⁸

10. Attached as **Exhibit I** is a true and correct copy of the proposed ballot initiative entitled “The Sexual Assault Against Rideshare Passengers and Drivers Prevention and Accountability Act.” I obtained this document from the California Attorney General’s website.⁹

11. Attached as **Exhibit J** is a true and correct copy of the website for the “Every 8 Minutes” campaign, which discloses that it is “Paid for by Consumer Attorneys of California

⁵<https://protectingamericanconsumers.org/news/pact-debuts-new-six-figure-ad-campaign-in-california-advocating-for-lawsuit-abuse-reform/>

⁶<https://protectingamericanconsumers.org/news/pact-to-release-documentary-film-in-2026/>

⁷<https://protectingamericanconsumers.org/news/pact-launches-seven-figure-ad-campaign-in-georgia-to-support-legal-reforms/>

⁸https://thetexan.news/state/legislature/89th-session/national-business-group-makes-seven-figure-ad-buy-pushing-tort-reform-in-texas/article_b5178a57-ace5-4752-b51c-81c692c9c371.html

⁹<https://oag.ca.gov/system/files/initiatives/pdfs/25-0029A1%20%28Rideshare%20Safety%20%29.pdf>

1 Initiative Defense Political Action Committee.” I obtained this document from the “Every 8
2 Minutes” website.¹⁰

3 12. Attached as **Exhibit K** is a true and correct copy of the *New York Times* article
4 entitled “Uber’s Festering Sexual Assault Problem.” I obtained this document from the *New*
5 *York Times* website.¹¹

6 13. Attached as **Exhibit L** is a true and correct copy of Uber’s webpage entitled
7 “Driving Women’s Safety Forward.” I obtained this document from Uber’s website.¹²

8 14. I have reviewed the bylaws of the Consumer Attorneys of California Political
9 Action Committee (CAOC PAC). According to these bylaws, the purpose of the CAOC PAC
10 is to support and oppose California state and federal candidates and ballot measures, as
11 determined by the CAOC PAC’s Executive Board, also known as the CAOC PAC Board of
12 Trustees or simply the CAOC PAC Board. The bylaws also state that the CAOC PAC serves
13 as the governing body for five recipient political committees sponsored by CAOC. One of
14 those recipient political committees is the CAOC Initiative Defense PAC.

15 15. The CAOC PAC and the CAOC Initiative Defense PAC, at the direction of the
16 CAOC PAC Board, were the independent entities responsible for approving, directing,
17 creating, producing, and running the “Every 8 Minutes” ad campaign.

18 16. No attorney on the leadership team of this MDL sits on the CAOC PAC Board
19 or in any other position with responsibility for CAOC’s PACs. No attorney on the leadership
20 team of this MDL is on the leadership of the CAOC Initiative Defense PAC.

21 17. I have specifically confirmed with CAOC’s leadership that no attorney on the
22 leadership team of this MDL—and, indeed, to their knowledge, no lawyer involved in this
23 litigation at all—had any role in approving, directing, creating, producing, or running the
24 “Every 8 Minutes” ad campaign.

25
26 ¹⁰<https://every8minutes.com>

27 ¹¹<https://www.nytimes.com/2025/08/06/business/uber-sexual-assault.html>

28 ¹²<https://www.uber.com/us/en/safety/womens-safety/>

1 18. I have confirmed with CAOC's leadership, and with its outside political media
2 consultant, that the "Every 8 Minutes" campaign was targeted exclusively at California
3 residents and California media markets and that none of the "Every 8 Minutes" television ads
4 ran outside of California. Moreover, the FCC mandates that all television station data
5 concerning political advertising purchases be made publicly available online.¹³ Thus, if Uber
6 wanted to make and substantiate an accusation that any television ads ran outside California,
7 it could do so through publicly available information. Uber has not done so.

8 I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is
9 true and correct.

10 Executed on December 29, 2025

/s/ Deepak Gupta

11 Deepak Gupta
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27 ¹³<https://publicfiles.fcc.gov/about>
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